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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Chien, et al.

Serial No.: 09-434,318

Filing Date: November 4, 1999

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Group Art Unit: Not yet assigned

Examiner: Not yet assigned

For: FLIP-CHIP LIGHT-EMITTING DEVICE

Assistant Commissioner for Patents  
Washington, DC 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

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I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 39 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

Type or Print Name: Christy Wilson

*Christy Wilson*  
Signature

**DECLARATION OF FACTS**

Mr. Fzung Feng Wu, President of Uni Light Technology Incorporation, having personal knowledge of the facts set forth herein, hereby states and declares that:

1. I am the President of Uni Light Technology, having a place of business at No. 165, Shan Ying Road, Kwei Shan, Taoyuan Hsien, Taiwan, R.O.C.

2. Employment records show that Fen-Ren Chien was employed with Uni Light from 1 August 1998 to 9 September 1999. A "Work and Research Record" for Mr. Chien is attached

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as Exhibit A to show proof that Mr. Chien was employed by Uni Light and working on the invention submitted in the above-referenced application.

Employment records show that Schang-Jing Hon was employed with Uni Light from 7 December 1998 to 9 September 1999. A "Work and Research Record" for Mr. Hon is attached as Exhibit B to show proof that Mr. Hon was employed by Uni Light and working on the invention submitted in the above-referenced application.

3. Fen-Ren Chien, on 3 March 2000, verbally refused to sign the filing documents. Additionally, a Post Certified Letter requesting that Fen-Ren Chien sign the filing documents was mailed to the last known address of Fen-Ren Chien on 7 March 2000. A copy of that letter and certification is attached as Exhibit C. I have received no response to this letter.

A Post Certified Letter requesting that Schang-Jing Hon sign the filing documents was mailed to the last known address of Schang-Jing Hon on 7 March 2000. A copy of that letter and certification is attached as Exhibit D. I have received no response to this letter. Moreover, Schang-Jing Hon signed and returned the Oath & Assignment for the Taiwanese application corresponding to the above referenced application. I believe that Schang-Jing Hon has moved to Germany, but I do not know how to reach him.

4. Mr. Fen-Ren Chien's last known address is 4F, No. 36, Yu-Hsi Street, Yunghe City, Taipei Hsien, Taiwan, R.O.C.

Mr. Schang-Jing Hon's last known address is 2F, No. 8, Lane 29, Chu-Hsing Street, Pate City, Taoyuan Hsien, Taiwan, R.O.C.

5. Uni Light has rights in the subject matter of the above-referenced application.

With regard to Schang-Jing Hon, he executed an Oath and Assignment for the corresponding Taiwanese application. A copy of this Oath and Assignment is attached as Exhibit E. Moreover, Article 7 of the R.O.C. Patent Law states that "where an invention, or a new utility model or a new design is made by an employee in the performance of his job duties, the right to apply for patent or the patent right thereof shall be vested in his employer." Mr. Hon's employment with Uni Light, and specifically his work on Uni Light's invention during this time, appears to fall under the conditions of Article 7 with regard to Uni Light's rights to the invention disclosed in the above-referenced application. A copy of Article 7 of the R.O.C. Patent Law is attached as Exhibit F.

With regard to Fen-Ren Chien, Uni Light also has rights in the subject matter under Article 7 of the R.O.C. Patent Law.

A copy of related documents evidencing Uni Light's ownership of the invention, that were previously filed in the Taiwanese Intellectual Property Office, are also attached as Exhibit G.

6. Uni Light also submits that it will suffer irreparable damage should this petition not be granted and the company's interests are at stake in that a filing date is necessary to make a claim for priority based on the Taiwanese application previously filed.

7. I declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Fzang Feng Wu  
Fzang Feng Wu  
President  
Uni Light Technology Incorporation

6-15-2000  
Date